

**HOLLIS H. MALIN, JR. and  
LINDA D. MALIN,**

**Plaintiffs,**

**V.**

**Case No.: 3:11-cv-00554**

**JPMORGAN; JP MORGAN CHASE;  
JPMORGAN CHASE BANK;  
JPMORGAN CHASE, NATIONAL  
ASSOCIATION; and CHASE HOME  
FINANCE, LLC,**

**(Removed from the Chancery Court of  
Knox County, Tennessee at Knoxville,  
Case No.: 81503-2)**

## Defendants.

## JOINT DISCOVERY PLAN

The parties jointly submit the following Discovery Plan, pursuant to Rule 26(f) of the Federal Rules of Civil Procedure and pursuant to this Court's Scheduling Order of April 13, 2012 (D.E. No. 14). On April 26, 2012, the parties participated in a telephone conference during which the parties discussed and agreed to the following:

### A. Initial Disclosures (Rule 26(f)(3)(A))

The parties do not believe any changes to the form or requirement for disclosures under Rule 26(a) are necessary. The parties have agreed to serve their Initial Disclosures on or before May 11, 2012.

### B. Subjects, Timing and Method of Discovery (Rule 26(f)(3)(B))

The subjects upon which discovery may be needed includes, but is not limited to, (i) discovery into the facts surrounding Plaintiffs' claims; (ii) discovery into the facts surrounding Defendant's affirmative defenses; (iii) the nature and amount of damages claimed by the Plaintiffs. The parties are aware of and will comply with the provisions of the Scheduling Order

(D.E. No. 14) related to the timing of discovery and the resolution of discovery disputes. Chase has previously served written discovery on the Plaintiffs, who are in the process of responding to the same. The parties do not believe discovery should be conducted in phases.

**C. Electronically Stored Information (Rule 26(f)(3)(C))**

The parties do not anticipate any issues about disclosure or discovery of electronically stored information. The parties have agreed to produce hard copies of any documents responsive to a discovery request. Should any issues arise with regard to the production of electronically stored information, the parties agree to utilize the “Discovery Dispute” procedure set forth in paragraph 3(i) of the Scheduling Order (D.E. No. 14).

**D. Privilege Issues (Rule 26(f)(3)(D))**

The parties do not anticipate any issues related to claims of privilege or of protection of information as trial-preparation materials. However, should any issues arise with regard to claims of privilege or of protection of information as trial-preparation materials, the parties agree to utilize the “Discovery Dispute” procedure set forth in paragraph 3(i) of the Scheduling Order (D.E. No. 14).

**E. Changes or Limitations on Discovery (Rule 26(f)(3)(E))**

The parties do not believe that any changes should be made in the limitations on discovery imposed under the Federal Rules of Civil Procedure or the Local Rules. The parties also agree that no other limitations should be imposed in this regard.

**F. Other Orders (Rule 26(f)(4)(F))**

The parties do not believe that any other orders should be issued under Rule 26(c) or under Rule 16(b) or (c) at this stage of the litigation.

Respectfully submitted,

/s/ Hollis M. Malin, Jr. and Linda D. Malin w/perm MDH  
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*Pro Se Plaintiffs*

/s/ Michael D. Hornback  
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*Counsel for JPMorgan Chase Bank, N.A., for itself and as  
successor by merger to Chase Home Finance, LLC  
(incorrectly named in the Complaint as JPMorgan,  
JPMorgan Chase, and JPMorgan Chase Bank)*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing was filed via the Court's electronic filing system and was placed in the U.S. Mail, first class, postage prepaid, addressed to the following on this the 26<sup>th</sup> day of April, 2012:

Hollis H. Malin Jr.  
Linda D. Malin  
809 Dry Gap Pike  
Knoxville, Tennessee 37918

/s/ Michael D. Hornback  
Michael D. Hornback

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